



IT IS ORDERED as set forth below:

Date: June 23, 2016

Mary Grace Diehl

Mary Grace Diehl
U.S. Bankruptcy Court Judge

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:	:	CASE NUMBER
	:	
EROSOL, LLC,	:	16-57405-MGD
	:	
Debtor.	:	CHAPTER 11
	:	

**ORDER FOR THE
APPOINTMENT OF A CHAPTER 11 TRUSTEE**

Before the Court are three motions: the United States Trustee's Motion to Dismiss or Convert Case, (Doc. 22); Creditor Swift Capital Corporation's Emergency Motion to Prohibit Use of Cash Collateral, (Doc. 15); and Debtor's Motion for Authority to Use Cash Collateral on Emergency and Ongoing Basis. (Doc. 20). A hearing was held on the matters on June 23, 2016. Present at the hearing were Leonard R. Medley, III, counsel for Debtor, James W. Hays, counsel for Swift Capital Corporation, Viveon E. Kelley, counsel for the United States Trustee, and Robert W. Scholz, counsel for Crushpad Properties, LLC.

The Bankruptcy Code authorizes the appointment of a Chapter 11 trustee when grounds

exist for the conversion or dismissal of a case under § 1112 and the appointment of a trustee is in the best interests of creditors and the estate. 11 U.S.C. §§ 1112(b)(1), 1104(a)(2). For the reasons stated on the record at the hearing, the Court finds that grounds for dismissal or conversion of the case exist, but that it is in the best interests of the creditors to immediately appoint a chapter 11 trustee in this case rather than to convert or dismiss the case. Accordingly, it is

ORDERED that the United States Trustee's Motion to Dismiss or Convert Case, (Doc. 22), is **GRANTED** and the United States Trustee shall appoint a Chapter 11 Trustee in Debtor's case post haste.

IT IS FURTHER ORDERED that Swift Capital Corporation's Emergency Motion to Prohibit Use of Cash Collateral, (Doc. 15), is **GRANTED**.

IT IS FURTHER ORDERED that Debtor's Motion for Authority to Use Cash Collateral on Emergency and Ongoing Basis, (Doc. 20), is **DENIED** and Debtor is **DIRECTED** not to spend any funds remaining in the debtor in possession account or any funds required to be deposited into the debtor in possession account until either authorization by the chapter 11 trustee or further order from the Court.

The Clerk shall serve a copy of this Order upon Debtor, counsel for Debtor, the United States Trustee, and all creditors and parties in interest in the case.

END OF DOCUMENT